

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
CITY OF SOUTH BEND BUILDING CORPORATION
(PROPERTY TRANSFER)**

RESOLUTION NO. 2021-2

WHEREAS, the City of South Bend Building Corporation (the "Corporation") was previously established as a nonprofit corporation operating pursuant to the provisions of the Indiana Nonprofit Act of 1991, as amended, I.C. § 23-17 (the "Act") for the sole purpose of serving as an "on behalf of issuer" for federal income tax purposes to assist the City of South Bend, Indiana (the "City") in financing public improvements; and

WHEREAS, the City of South Bend, Indiana, Board of Public Works (the "Board of Public Works") exists pursuant to Indiana Code Section 36-4-9-5, holds real property owned by the City pursuant to Indiana Code Section 36-9-6-3, and is authorized to transfer such property to another governmental entity pursuant to Indiana Code Section 36-1-11-8; and

WHEREAS, the Common Council (the "Council") of the City has given consideration to the financing and refinancing of all or a portion of the costs of (1) repairing or reconstructing all or any portion of the City streets listed at Exhibit A attached hereto which will consist of all or any of the following activities: full-depth reconstruction, mill and overlay, microsurfacing and crack sealing, and spot repairs of brick streets in historic neighborhoods (collectively, the "Street Projects") and (2) completing certain improvements as more fully described at Exhibit B attached hereto (collectively, the "Infrastructure Projects") (clauses (1) and (2), collectively, the "Projects") in the City; and

WHEREAS, the Street Projects will include improvements to certain real property in the City which the Board owns acting for and on behalf of the City and which is generally described at Exhibit C (the "Property"); and

WHEREAS, following a public hearing, the Council adopted an ordinance at a meeting held on March 22, 2021, which ordinance approved a form of lease with the Building Corporation pursuant to which the Building Corporation will lease to the City the Property and the City will pay rentals to the Building Corporation which the Building Corporation will use to pay the principal of and interest on bonds to be issued by it for the purpose of financing the costs of acquiring the Property and paying for the costs of the Projects and costs related thereto; and

WHEREAS, the Building Corporation desires to acquire an interest in the Property for the purpose of leasing the Property pursuant to the terms of the Lease and will adopt a resolution substantially identical to this Resolution agreeing to accept the transfer of the Property; and

WHEREAS, the City, as the owner of the Property, seeks and concurs in the transfer of an interest in the Property to the Building Corporation for a purchase price equal to \$8,600,000, and the Building Corporation desires to approve such transfer;**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF SOUTH BEND BUILDING CORPORATION AS FOLLOWS:**

1. The Board of Directors of the Building Corporation (the “Board”) hereby accepts the transfer of the Property from the Board of Public Works in accordance with Indiana Code 36-1-11-8 for a purchase price equal to \$8,600,000 (the “Purchase Price”). Following the issuance of the Bonds by the Building Corporation and upon payment to the City of cash in an amount not less than the amount of the Purchase Price, the transfer of the Property will be effected by the execution of a quit claim deed by the President of the Board of Public Works in the name of the City, conveying title to the Property to the Building Corporation.

2. The Board authorizes such other actions as may be necessary to effect the recording of the Deed in the Office of the Recorder of St. Joseph County, Indiana, and further authorizes the execution by any officer of the Board of such other documents and any other actions which may be necessary to effectuate the transfer of the Property from the City to the Building Corporation.

3. This resolution will be in full force and effect upon its adoption by the Board.

ADOPTED this 23rd day of March, 2021.

BOARD OF DIRECTORS OF THE CITY OF
SOUTH BEND BUILDING CORPORATION

Brenda Phillips, President

Bishop Donald L. Alford, Vice President

Daniel Parker, Treasurer

EXHIBIT A

<u>Year</u>	<u>Street Name</u>	<u>To</u>	<u>From</u>	<u>Lane Miles</u>	<u>PASER</u>
2021	30th St	Jefferson Blvd	RR Tracks	0.31	3
2021	Adams St	Liston St	Orange St	0.26	3
2021	Adams St	Humboldt St	Elwood Ave	0.51	4
2021	Adams St	Lincolnway	Vassar Ave	0.58	4
2021	Allen St	Oak	Lincolnway	0.39	3
2021	Altgeld St	York Rd	Ironwood Dr	1.23	3
2021	Arthur St	Sorin St	Chalfant St	0.26	3
2021	Bendix Dr	Western Ave	Huron St	0.31	3
2021	Bent Oak Ln	Oakwood Park Dr	Oakbrook Dr	0.13	3
2021	Birner St	Allen St	Blaine Ave	0.13	4
2021	Blaine Ave	LaPorte Ave	Lincolnway	0.43	3
2021	Boston Dr	Linden Ave	Jamestown Ct	0.27	3
2021	Bowman St	Miami St	Leer St	0.57	3
2021	Broadway	Marine St	Haney Ave	0.12	3
2021	Broadway St	High St	Miami St	0.45	3
2021	Bronson St	Michigan St	St. Joseph St	0.27	3
2021	Bronson St	Main St	Lafayette Blvd	0.25	3
2021	Bulla St.	Medora St.	Wilber St.	0.11	3
2021	Burnett Dr	Ireland Rd	S Burnett Dr	1.06	3
2021	Calvert St	High St	Miami St	0.56	2
2021	Calvert St	Walnut St	Morris St	0.12	3
2021	Catalpa St	Sample St	Kerr St	0.16	3
2021	Chicago St	Lincolnway	Cul-De-Sac	0.34	3
2021	Coquillard Dr	Jefferson Blvd	Colfax Ave	0.76	3
2021	Cottage Grove Ave	Alley	Oak St	0.08	3
2021	Dale Ave	Ewing Ave	Calvert St	0.49	3
2021	Danbury Dr	Gotham Dr	Berkshire Dr	0.61	3
2021	Dayton St	Caroline St	Robinson St	0.22	3
2021	Delbert Ct	Caroline St	Eldora Ct	0.09	3
2021	Dogwood Dr	Sylvan Ln	Parkway St	0.35	3
2021	Dubail Ave	Olive St	Grant St	0.53	3
2021	Dundee St	Ford St	Dunham St	0.31	3
2021	Dunham St	Dead End	Jackson St	0.62	3
2021	Eagle Cove Dr	Park South Blvd	Copperfield Dr	0.20	4
2021	Eastview Ln	Western Ave	Southview Ln	0.15	3
2021	Eckman St	Main St	Dead End	0.24	4
2021	Eldora Ct	Lincolnway	Delbert Ct	0.11	3
2021	Erskine Manor Hill Dr	Erskine Ct	Honan Dr	0.19	3
2021	Ewing	S High St	S Dale Ave	0.44	3
2021	Fairfax Ct	Cul-De-Sac	Cul-De-Sac	0.21	4
2021	Fairview Ave	Dale Ave	Miami St	0.21	3

2021	Farneman Ave	Michigan St	Main St	0.20	3
2021	Fellows St	Donmoyer Ave	Tasher St	0.32	3
2021	Fox St	Miami St	Leer St	0.57	3
2021	Fulton Ct	LaSalle Ave	(Dead End)	0.05	2
2021	Galway Ct	Galway Dr	Cul-De-Sac	0.08	4
2021	Garden Oak Dr	(Dead End)	Brick Rd	1.09	1
2021	Garfield Ct	Washington St	Dead End	0.10	3
2021	Garland Cir	York Rd	Cul-De-Sac	0.22	4
2021	Georgian Ct	Cotswold Ln	Cul-De-Sac	0.11	3
2021	Gladstone St	Sample St.	Silver Ln.	0.25	3
2021	Glen St	Ewing Ave	Dead End	0.22	3
2021	Goodland Ave	W Elwood Ave	Alley	0.07	3
2021	Gotham Dr	Riding Mall	Berkshire Dr	0.73	2
2021	Grove St	Dead End	Canterbury Dr	0.20	3
2021	Hamilton Ct	Cul-De-Sac	Thornhill Dr	0.05	3
2021	Hancock St	S Arnold St	Western Ave	0.22	2
2021	Harrington Dr	E Edison Rd	Dead End	0.21	3
2021	Harrison Ave	W Fuerbringer St	W Lincolnway	0.40	3
2021	Harrow Dr	Garway Common St	Regent Ct	0.64	3
2021	Hawthorne Dr	E Colfax Ave	E McKinley Ave	0.36	3
2021	High St	Wenger St	Sample St	0.44	3
2021	High St	Woodside St	Irvington St	0.36	3
2021	Highland Ave	Olive St	Carlisle St	0.30	3
2021	Hine St	Walnut St	Studebaker St	0.14	3
2021	Huey St	W Frederickson St	W Lincolnway	0.36	3
2021	Humphrey Ct	Sample St	Dead End	0.20	3
2021	Huron St	Kaley St	Liberty St	0.29	3
2021	Indiana Ave	Michigan St	High St	1.60	4
2021	Irvington Dr	S Locust Rd	Emerson Forest Pkwy	0.54	1
2021	Irvington St	Woodmont Dr	Dead End	0.07	3
2021	Jackson St	Orange St	Linden Ave	0.12	3
2021	Jacob St	Cedar St	Campeau	0.67	2
2021	Jefferson Blvd	Cherry St	S Walnut St	0.29	1
2021	Jennings St	Michigan St	St. Joseph St	0.39	3
2021	Kalorama St	Hill St	Turnock St	0.19	3
2021	Keller St	Olive St.	Meade St.	0.23	3
2021	Kentucky St	Western Ave	Ford St	0.61	3
2021	Kessler Blvd	Kessler Pl	Woodlawn Blvd	0.70	4
2021	Kindig Dr	Cambridge Dr	Fairfax Dr	0.25	2
2021	King St	Kessler Blvd	Portage Ave	0.24	3
2021	Kinyon St	Portage Ave	Wilber St	0.35	3
2021	LaMonte Terr	Forest Ave	Park Ave	0.28	2
2021	Liberty St	W Washington St	W Western Ave	0.54	3
2021	Liberty St	Western Ave.	Ford St.	0.60	3
2021	Liberty St	W Western Ave	Ford St	0.61	3

2021	Lindsey Ave	Portage Ave	Blaine Ave	1.27	3
2021	Longley Ave	College St	Johnson St	0.30	3
2021	Manitou Pl	Forest Ave	Park Ave	0.38	2
2021	Marquette Ave	Lafayette Blvd	Wakewa Ave	0.33	3
2021	McKinley Ave	Walsh St	Rockne Dr	0.08	3
2021	McPherson St	Thomas St	Western Ave	0.40	3
2021	Meade St	Napier St	Western Ave	0.17	3
2021	Milton St	Dale Ave	Miami St	0.17	3
2021	Milton St	Miami St	Mumford Ct	0.23	3
2021	Napier St	Walnut St	Chestnut St	0.19	3
2021	Nursery Ct	28th St	30th St	0.17	3
2021	Ohio St	Michigan St	Fellows St	0.57	3
2021	Park Ave	Navarre Ave	Riverside Dr	0.80	2
2021	Patty Ln	Corby Blvd	Bentley Ln	0.42	3
2021	Poland St	Tade Ct	S Harris St	0.22	2
2021	Portage Ct	Portage Ave	Ashland Ave	0.06	2
2021	Raleigh Dr	Cambridge Dr	Berkshire Dr	0.55	3
2021	Rexford Dr	Dead End	Hickory Rd	1.19	3
2021	Ridgedale Rd	York Rd	Woodmont Dr	1.41	3
2021	Ridgewood Cir	Cul-De-Sac	Rosemary Ln	0.30	3
2021	Roelke Dr	Abshire Dr	Cul-De-Sac	0.27	3
2021	Rose St	Maple Ln	Crestwood Blvd	1.28	3
2021	Sample St	Chapin St	Arnold St	1.28	4
2021	Sherman Ave	Lincolnway	Vassar Ave	1.32	3
2021	Southview Ln	Eastview Ln	Westview Ln	0.16	3
2021	St. Vincent St	Notre Dame Ave	Frances St	0.16	3
2021	Sunnyside Ave	Jefferson Blvd	Colfax Ave	0.34	3
2021	Sunnyside Ave	Washington St	Jefferson Blvd	0.17	3
2021	Sylvan Ln	Scenic Dr	Sample St	0.54	3
2021	Tasher St	Michigan St	Main St	0.19	3
2021	Taylor St	Washington St	Colfax Ave	0.18	3
2021	Trenton Dr	Linden Ave	Cul-De-Sac	0.12	3
2021	Wakewa Ave	Hillcrest Rd	Iroquois St	0.90	3
2021	Wall St	Ironwood Dr	31st St	1.42	3
2021	Wall St	30th St.	Logan St.	0.85	3
2021	Walsh St	LaSalle Ave	Cedar St	0.36	3
2021	Walter St	Michigan St	Main St	0.12	3
2021	Webster St	Indiana Ave	Prairie Ave	0.20	3
2021	Williamsburg Ct	Boston Dr	Cul-De-Sac	0.14	3
2021	Woodmont Dr	Ridgedale Rd	Brookmeade Dr	0.81	3

EXHIBIT B

NEIGHBORHOOD INFRASTRUCTURE PROJECTS

- **Twyckenham Drive / Longfellow Avenue & South Street** – Realignment of Longfellow Avenue to Twyckenham Drive to promote pedestrian safety at the intersection by reducing the crossing distance at the intersection. The project will include: new curb and sidewalks, street trees and lighting.
- **Riverside Drive / California / Leland Avenue** – Intersection safety improvements through the reduction of unnecessary pavement and clarification of vehicular lanes. The project will include: new curb and sidewalks, street trees, lighting and traffic signage.
- **Oakwood Blvd / Beverly Place** – Intersection safety improvements through the reduction of unnecessary pavement and clarification of vehicular lanes with the realignment of Beverly Place. The project will include: curb extensions and sidewalks, street trees and lighting.
- **Ford Street / Walnut Street** – Existing intersection offset creates vehicular/pedestrian conflicts and safety issues. The project will include: new curb and sidewalks, street trees, guardrail and lighting.

EXHIBIT C

PROPERTY DESCRIPTION

<u>Street Name</u>	<u>To</u>	<u>From</u>	<u>Lane Miles</u>
E Indiana Ave	Michigan St	High St	1.60
E Wall St	Ironwood Dr	31st St	1.42
E Ridgedale Rd	York Rd	Woodmont Dr	1.41
Sherman Ave N	Lincolnway	Vassar Ave	1.32